

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 841

Introduced by Fischer, 43.

Read first time January 10, 2008

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to certificates of title; to amend section
2 60-141, Revised Statutes Cumulative Supplement, 2006,
3 and section 60-168.02, Revised Statutes Supplement,
4 2007; to change and eliminate provisions relating to
5 reassignments; to repeal the original sections; and to
6 declare an emergency.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-141, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 60-141 A dealer need not apply for certificates of title
4 for any vehicles in stock or acquired for stock purposes, but
5 upon transfer of such vehicle in stock or acquired for stock
6 purposes, the dealer shall give the transferee a reassignment of
7 the certificate of title on such vehicle or an assignment of
8 a manufacturer's or importer's certificate. If all reassignments
9 on the manufacturer's or importer's certificate have been used,
10 the dealer may attach a dealer assignment form prescribed by the
11 department prior to any subsequent transfer. If all reassignments
12 on the dealer assignment form or the certificate of title have
13 been used, the dealer shall obtain title in the dealer's name prior
14 to any subsequent transfer. No dealer shall execute a reassignment
15 on or transfer ownership by way of a manufacturer's statement of
16 origin unless the dealer is franchised by the manufacturer of the
17 vehicle.

18 Sec. 2. Section 60-168.02, Revised Statutes Supplement,
19 2007, is amended to read:

20 60-168.02 (1) When a motor vehicle, commercial trailer,
21 semitrailer, or cabin trailer is purchased by a motor vehicle
22 dealer or trailer dealer and the original assigned certificate of
23 title has been lost or mutilated, the dealer selling such motor
24 vehicle or trailer may apply for an original certificate of title
25 in the dealer's name. The following documentation and fees shall be

1 submitted by the dealer:

2 (a) An application for a certificate of title in the name
3 of such dealer;

4 (b) A photocopy from the dealer's records of the front
5 and back of the lost or mutilated original certificate of title
6 assigned to a dealer; ~~with a reassignment to a purchaser;~~

7 (c) A notarized affidavit from the purchaser of
8 such motor vehicle or trailer for which the original assigned
9 certificate of title was lost or mutilated stating that the
10 original assigned certificate of title was lost or mutilated; and

11 (d) The appropriate certificate of title fee.

12 (2) The application and affidavit shall be on forms
13 prescribed by the department. When the motor vehicle dealer or
14 trailer dealer receives the new certificate of title in such
15 dealer's name and assigns it to the purchaser, the dealer shall
16 record the original sale date and provide the purchaser with a
17 copy of the front and back of the original lost or mutilated
18 certificate of title as evidence as to why the purchase date of
19 the motor vehicle or trailer is prior to the issue date of the new
20 certificate of title.

21 Sec. 3. Original section 60-141, Revised Statutes
22 Cumulative Supplement, 2006, and section 60-168.02, Revised
23 Statutes Supplement, 2007, are repealed.

24 Sec. 4. Since an emergency exists, this act takes effect
25 when passed and approved according to law.